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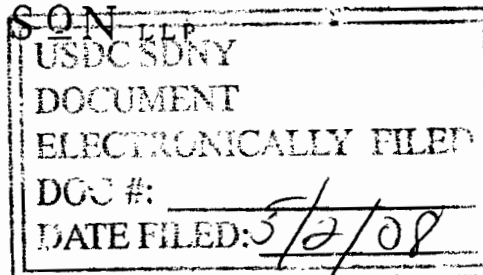
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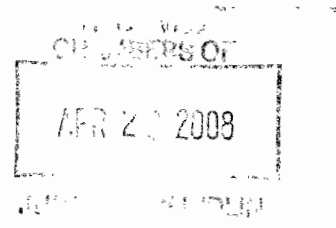


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April 24, 2008

**VIA FAX**Judge Shira A. Scheindlin
United States District Court
Southern District of New York
U.S. Courthouse, 500 Pearl Street
New York, NY 10007-1312Re: Scott Weill v. Webster Trucking Corp. and Anthony J. Almanzar
Civil Action No: 07-CV-8823
Our File No. 801815

Dear Judge Scheindlin:

We herein write requesting a conference to discuss a new discovery issue which has arisen in the above-referenced matter.

By letter dated March 12, 2008, Defendants scheduled a pre-surgical orthopedic IME for plaintiff, Scott Weill, on April 23, 2008. We have now learned that plaintiff failed to attend the IME. Once learned, we called plaintiff's attorney and was given no explanation. We have also learned that there is a \$100 no show fee for the missed appointment. We have scheduled the IME for May 21, 2008 at 1 p.m. as the next earliest available date. However, we are concerned that plaintiff will either undergo surgery before the IME, and defendants would therefore lose their ability to dispute the need for surgery, or plaintiff will again miss the appointment. Therefore, we request an order compelling plaintiff to pay the missed appointment fee, appear for the newly scheduled IME and prohibiting plaintiff from undergoing the elective left knee surgery before the new pre-surgical IME date.

Also, by letter dated April 4, 2008, we requested contact information for the witness identified by plaintiff and not identified in the police accident report. As of this date, we have not received a response from counsel. In light of the foregoing, we herein renew our request for an extension of the current deadlines as follows:

Depositions of all parties shall take place on or before May 8, 2008;
Plaintiff shall provide expert reports no later than June 1, 2008;
Defendant's expert reports shall be provided by June 22, 2008;
Discovery shall be completed no later than July 12, 2008;

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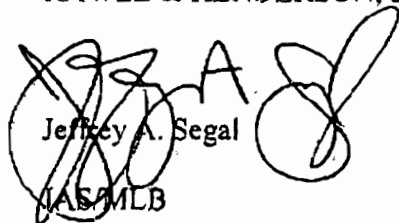
April 24, 2008
Page 2

Expert Depositions shall be completed by July 12, 2008;
Plaintiff shall provide its portion of the joint Pre-Trial Order to defendant no later
than August 6, 2008;
The final pre-trial conference in this matter shall be held on July 20, 2008.

Thank you for your anticipated attention and courtesy to this matter.

Respectfully submitted,

RAWLE & HENDERSON, LLP

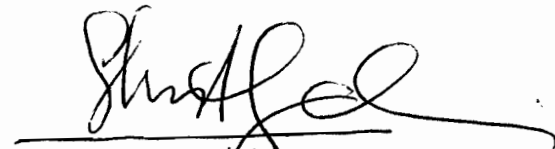

Jeffrey A. Segal
JAS/MLB

cc: Jack A. Yankowitz, Esquire (via fax)

Defendants' request is denied, but defendants
may submit the expert report following the May 21,
2008 IME no later than June 23, 2008.

SO ORDERED:

Dated: New York, New York
May 1, 2008


Shira A. Scheindlin
U.S.D.J.